

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF GEORGIA

2211 UNITED STATES COURTHOUSE
75 SPRING STREET, SW
ATLANTA, GEORGIA 30303-3361

LUTHER D. THOMAS
CLERK OF COURT

DOCKETING SECTION
404-215-1655

June 29, 2005

United States Court of Appeals
11th Circuit
56 Forsyth Street, NW
Atlanta, Georgia 30303

USDC Civil Action No. 1:98-cv-0204-ODE

USCA No. 05-11868-AA

Re: *Kirk S. Corsello v. Lincare, Inc., et al.*

CERTIFICATE OF READINESS OF RECORD ON APPEAL

Pursuant to Fed.R.App.P. 11(c), the Clerk of the District Court for the Northern District of Georgia hereby certifies that, as shown on the enclosed index, the record is complete for the purposes of this appeal. The record (including the transcript or parts thereof designated for inclusion and all necessary exhibits) consists of:

12 Volume(s) of pleadings-1 FILED UNDER SEAL

 Volume(s) of depositions

 Volume(s) of transcripts

 Volume(s) of exhibits

 Other:

Sincerely,

Luther D. Thomas
Clerk of Court

By: */s/ Kimberly Carter*
Deputy Clerk

Enclosures

APPEAL, CLOSED

**U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:98-cv-00204-ODE**

Corsello, et al v. Lincare, Inc., et al
Assigned to: Judge Orinda D. Evans
Demand: \$0
Case in other court: E USCA 11th Circuit, :01--11968
Cause: 31:3730 False Claims Act

Date Filed: 01/22/1998
Jury Demand: Plaintiff
Nature of Suit: 370 Fraud or Truth-In-
Lending
Jurisdiction: U.S. Government Plaintiff

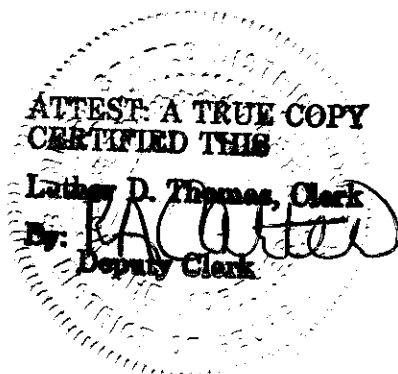
Plaintiff**Kirk S. Corsello**

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Defendant

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Defendant

Lincare Healthcare Group, Inc.
TERMINATED: 07/14/1999

Defendant

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Defendant

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Defendant

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TERMINATED: 07/14/1999

Defendant

Respicare of Central Florida, Inc.
TERMINATED: 07/14/1999

Defendant

Medical Options, Inc.

TERMINATED: 07/14/1999

Defendant

Rotech, Inc.

represented by **Elizabeth Catherine Helm**
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Inc.***TERMINATED: 07/14/1999***Defendant****Princeton Hospital, Inc.***TERMINATED: 07/14/1999***Defendant****M.D. Romeo G. Guzman***TERMINATED: 01/13/2000*

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Defendant

P.A. Family and Geriatric Medicine
TERMINATED: 01/13/2000

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Defendant

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Defendant

M.D. Yasmeen Gowani
TERMINATED: 07/14/1999

Defendant

Luis F. Baroroso Ganesh Akula
TERMINATED: 07/14/1999

Defendant

Amruth Bapatla

TERMINATED: 07/14/1999

Defendant

Raza Ali

TERMINATED: 07/14/1999

Defendant

Morris T. Bird

TERMINATED: 07/14/1999

Defendant

Alfred Bookhardt

TERMINATED: 07/14/1999

Defendant

Ivan Castro

TERMINATED: 01/13/2000

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Defendant

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M.D., P.A.**

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Defendant

Francis J. Covelli

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Defendant

Don R. Cox

TERMINATED: 07/14/1999

Defendant

Alan M. Denner

TERMINATED: 07/14/1999

Defendant

German Escano

TERMINATED: 07/14/1999

Defendant

Jerold Fadem, Jr.

TERMINATED: 07/14/1999

Defendant

Jennifer Bishop

TERMINATED: 07/14/1999

Defendant

Faisal Fakihi

TERMINATED: 07/14/1999

Defendant

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Defendant

H.B. Karunartne

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Defendant

Vajah Khan

TERMINATED: 07/14/1999

Defendant

Ashok K. H. Khanna

TERMINATED: 07/14/1999

Defendant

Mohammad Latif

TERMINATED: 07/14/1999

Defendant

Daniel Mancini

TERMINATED: 07/14/1999

Defendant

Charles Mella

TERMINATED: 07/14/1999

Defendant

Orange County Medical Center

TERMINATED: 07/14/1999

Defendant

**Finance Department of Orange
County**

TERMINATED: 07/14/1999

Defendant

Nicholas Pastis

TERMINATED: 07/14/1999

Defendant

Lac Pham

TERMINATED: 07/14/1999

Defendant

Robert Snyder

TERMINATED: 07/14/1999

Defendant

Dennis Stevenson

TERMINATED: 07/14/1999

Defendant

E. Roger Alilin

TERMINATED: 07/14/1999

Defendant

Florida Heart Group

TERMINATED: 07/14/1999

Defendant

Linda Wasserman

TERMINATED: 07/14/1999

Defendant

Charles H. R. Morefield

TERMINATED: 07/14/1999

Defendant

Jay Pham

TERMINATED: 07/14/1999

Defendant

**Winter Park Memorial Hospital
Association, Inc.**

TERMINATED: 07/14/1999

Defendant

John Doe 1-99

TERMINATED: 12/23/2004

Defendant

John Doe Corporations 1-99

TERMINATED: 12/23/2004

Defendant

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United States of America

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Defendant

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TERMINATED: 01/13/2000

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William Roy Mitchelson, Jr.

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TERMINATED: 01/13/2000

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/22/1998 <i>Big. Vol.</i> <i>1</i>	<u>1</u>	COMPLAINT filed and summons issued. Consent form to proceed before U.S. magistrate and pretrial instructions given to attorney; jury demand FILING FEE \$ 150.00 RECEIPT # 418732 (fmm) Modified on 11/17/1998 (Entered: 01/30/1998)
01/22/1998 <i>Sealed Vol.</i> <i>12</i>	<u>2</u>	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 01/30/1998)
01/22/1998 <i>Sealed Vol.</i> <i>13</i>	<u>3</u>	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 01/30/1998)
04/02/1998 <i>Sealed Vol.</i> <i>12</i>	<u>4</u>	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 04/03/1998)
06/26/1998 <i>Sealed Vol.</i> <i>12</i>	<u>5</u>	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 06/29/1998)
06/29/1998		SUBMITTED to Judge Orinda D. Evans (fmm) Modified on 09/01/1999 (Entered: 06/29/1998)
07/01/1998 <i>Sealed Vol.</i> <i>12</i>	<u>6</u>	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 07/02/1998)
07/01/1998		Terminated submissions. (fmm) (Entered: 07/02/1998)
07/30/1998 <i>Sealed Vol.</i> <i>12</i>	<u>7</u>	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 07/31/1998)
07/30/1998 <i>Sealed Vol.</i> <i>12</i>	<u>8</u>	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 07/31/1998)
08/28/1998 <i>Sealed Vol.</i> <i>12</i>	<u>9</u>	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 09/02/1998)
08/28/1998 <i>Sealed Vol.</i> <i>12</i>	<u>10</u>	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 09/02/1998)
08/28/1998 <i>Sealed Vol.</i> <i>12</i>	<u>11</u>	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 09/02/1998)
08/28/1998 <i>Sealed Vol.</i> <i>12</i>	<u>12</u>	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 09/02/1998)

VOL. 1 CONT.

		09/04/1998)
08/31/1998 <i>Sealed Vol. 12</i>	(13)	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 09/04/1998)
08/31/1998		SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 09/04/1998)
09/15/1998 <i>Sealed Vol. 12</i>	(14)	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 09/16/1998)
09/28/1998		SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 09/29/1998)
10/06/1998 <i>Sealed Vol. 12</i>	(15)	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 10/07/1998)
10/07/1998		SUBMITTED to Judge Orinda D. Evans (fmm) Modified on 09/01/1999 (Entered: 10/07/1998)
10/19/1998 <i>Sealed Vol. 12</i>	(16)	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 10/20/1998)
11/06/1998	(17)	ORDER by Judge Orinda D. Evans, unsealing complaint to be served upon all dfts (cc) (fmm) (Entered: 11/06/1998)
11/06/1998		Terminated submissions. (fmm) (Entered: 11/06/1998)
11/09/1998 <i>Sealed Vol. 12</i>	(18)	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 11/09/1998)
01/07/1999	(19)	ORDER by Judge Orinda D. Evans, unsealing order filed 11/6/98, document #17 (cc) (fmm) Modified on 01/08/1999 (Entered: 01/08/1999)
01/29/1999 <i>Sealed Vol. 12</i>	(20)	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 02/01/1999)
02/01/1999 <i>Sealed Vol. 12</i>	(21)	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 02/02/1999)
02/10/1999 <i>Sealed Vol. 12</i>	(22)	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 02/10/1999)
02/16/1999 <i>Sealed Vol. 12</i>	(23)	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 02/17/1999)
02/19/1999 <i>Sealed Vol. 12</i>	(24)	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 02/23/1999)
03/02/1999 <i>Sealed Vol. 12</i>	(25)	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 03/03/1999)
03/03/1999		SUBMITTED to Judge Orinda D. Evans (fmm) Modified on 09/01/1999 (Entered: 03/03/1999)
03/05/1999 <i>Sealed Vol. 12</i>	(26)	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 03/05/1999)

VOL. 1 CONT.

		03/05/1999)
03/09/1999 <i>Sealed</i> <i>VOL. 12</i>	(27)	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 03/11/1999)
03/11/1999		SUBMITTED to Judge Orinda D. Evans (fmm) Modified on 09/01/1999 (Entered: 03/11/1999)
03/18/1999	(28)	REPLY by defendant Rotech, Inc. to response to [22-1] motion to dismiss, [22-2] motion for a more definite statement (fmm) (Entered: 03/18/1999)
04/06/1999		SUBMITTED to Judge Orinda D. Evans on [27-1] motion to extend time to serve complaint, [27-2] motion to file amended complaint under seal (File in Chambers) (fmm) (Entered: 04/06/1999)
06/18/1999	(29)	ORDER by Judge Orinda D. Evans GRANTING [27-1] motion to extend time to serve complaint, GRANTING IN PART AND DENYING IN PART [27-2] motion to file amended complaint under seal by Kirk S. Corsello, pla may file an amended complaint but said complaint shall not be filed underseal and must be served upon all named dfts w/in 20 days of filing, DISMISSING w/out prejudice with the right to refile if the need arises [22-1] motion to dismiss by Rotech, Inc., [22-2] motion for a more definite statement by Rotech, Inc., [20-1] motion to unseal the court file by Rotech, Inc., denying as moot the [11-2] motion to disclose qui tam complaint to relator in related action by United States Ex Rel (cc) (fmm) (Entered: 06/22/1999)
06/18/1999		Terminated submissions. (fmm) (Entered: 06/22/1999)
06/18/1999 <i>Sealed</i> <i>VOL. 12</i>	(30)	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 06/22/1999)
07/06/1999 <i>Sealed</i> <i>VOL. 12</i>	(31)	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 07/09/1999)
07/06/1999 <i>Sealed</i> <i>VOL. 12</i>	(32)	SEALED DOCUMENT (fmm) Modified on 09/01/1999 (Entered: 07/09/1999)
07/14/1999	(33)	AMENDED COMPLAINT by plaintiff adding Shawn Schabel, Greg McCarthy, Mark Tobin, American Home Pat., John Daniel Mancini and removing several dfts from complaint. (fmm) Modified on 07/15/1999 (Entered: 07/15/1999)
07/15/1999		SUBMITTED to Judge Orinda D. Evans on [31-1] motion to extend time to file amended complaint thru 7/14/99 (fmm) (Entered: 07/15/1999)
08/02/1999	(34)	ANSWERS TO MANDATORY DISCLOSURES by plaintiff (fmm) (Entered: 08/03/1999)
08/02/1999		Summons issued for dfts Tolliver L. Higgins, Winter Park Internal, Ivan Castro, R. G. Guzman, Romeo G. Guzman, Ron Pluchel, Lynn Garapic, Larry Simmons, Lori Demello, John P. Byrnes, Lincare Holdings, Lincare, Inc., Shawn Schabel, Greg McCarthy, Mark Tobin, American

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		Home Pat., John Daniel Mancini (fmm) (Entered: 08/03/1999)
08/06/1999	35	WAIVER OF SERVICE Returned Executed as to Ron Pluchel, Mark Tobin mailed 8/2/99 Answer due by 10/1/99 for Mark Tobin, for Ron Pluchel (fmm) (Entered: 08/10/1999)
08/09/1999	36	Return of service executed 8/2/99 as to Lincare, Inc. on original complaint (fmm) (Entered: 08/10/1999)
08/10/1999	37	Return of service executed 8/3/99 as to American Home Pat. on original complaint (fmm) (Entered: 08/12/1999)
08/12/1999	38	Return of service executed 8/3/99 as to Larry Simmons on original complaint (fmm) (Entered: 08/13/1999)
08/16/1999	39	MOTION by plaintiff for clarification of settlement rules with brief in support. (fmm) (Entered: 08/17/1999)
08/23/1999	40	Attorney appearance for dfts R. G. Guzman, Romeo G. Guzman, P.A. Family, Alan Varraux, Winter Park Internal, Ivan Castro, Tolliver L. Higgins, John Daniel Mancini by William Roy Mitchelson Jr. (fmm) (Entered: 08/25/1999)
08/23/1999	41	MOTION by dfts R. G. Guzman, Romeo G. Guzman, P.A. Family, Alan Varraux, Winter Park Internal, Ivan Castro, Tolliver L. Higgins, John Daniel Mancini to dismiss pursuant to FRCP 9(B) and 12(B)(6) (fmm) (Entered: 08/25/1999)
08/23/1999	42	MOTION by dfts R. G. Guzman, Romeo G. Guzman, P.A. Family, Alan Varraux, Winter Park Internal, Ivan Castro, Tolliver L. Higgins, John Daniel Mancini to dismiss (fmm) (Entered: 08/25/1999)
08/23/1999	43	MOTION by defendant American Home Pat. to dismiss for untimely service , or in the alternative, to dismiss for failure to comply with FRCP 9(b) with brief in support. (fmm) (Entered: 08/25/1999)
08/23/1999	44	MOTION by dfts Lincare, Inc., Lincare Holdings,, John P. Byrnes, Lori Demello, Shawn Schabel, Greg McCarthy, Lynn Garapic to dismiss for untimely service with brief in support. (fmm) (Entered: 08/25/1999)
08/23/1999	45	MOTION by dfts Lincare, Inc., Lincare Holdings,, John P. Byrnes, Lori Demello, Shawn Schabel, Greg McCarthy, Lynn Garapic to dismiss with brief in support. (fmm) (Entered: 08/25/1999)
08/23/1999	46	MOTION by defendant Larry Simmons to dismiss pursuant to FRCP 9 (B) and 12(B)(6) with brief in support. (fmm) (Entered: 08/25/1999)
08/23/1999	47	MOTION by defendant Larry Simmons to dismiss for untimely service with brief in support. (fmm) (Entered: 08/25/1999)
08/23/1999	53	Application for admission of Martha P Rogers pro hac vice for defendant American Home Pat. (fmm) (Entered: 08/27/1999)
08/24/1999	49	Return of service executed 8/3/99 as to Greg McCarthy on original complaint (fmm) (Entered: 08/26/1999)

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08/24/1999	50	Return of service executed 8/4/99 as to Ivan Castro on original complaint (fmm) (Entered: 08/26/1999)
08/24/1999	51	Return of service executed 8/10/99 as to Lynn Garapic on original complaint (fmm) (Entered: 08/26/1999)
08/24/1999	52	Return of service executed 8/14/99 as to Shawn Schabel on original complaint (fmm) (Entered: 08/26/1999)
08/25/1999	48	ORDER by Judge Orinda D. Evans GRANTING [31-1] motion to extend time to file amended complaint thru 7/14/99 (cc) (fmm) (Entered: 08/26/1999)
08/27/1999	54	Amicus Curiae Brief by United States in response to [39-1] motion for clarification of settlement rules (fmm) (Entered: 08/31/1999)
08/30/1999 END VOL. 1	55	Response by defendant Rotech, Inc. in opposition to [39-1] motion for clarification of settlement rules (fmm) (Entered: 08/31/1999)
08/31/1999 Vol. 2	56	Brief by dfts Lincare, Inc., Lincare Holdings,, John P. Byrnes, Lori Demello, Shawn Schabel, Greg McCarthy, Lynn Garapic in opposition to [39-1] motion for clarification of settlement rules (fmm) (Entered: 09/01/1999)
08/31/1999 Beg Vol. 3	57	Attorney appearance for dfts R. G. Guzman, Romeo G. Guzman, P.A. Family, Alan Varraux, Winter Park Internal, Ivan Castro, Tolliver L. Higgins, John Daniel Mancini by Shannon Thyme Klinger (fmm) Modified on 09/01/1999 (Entered: 09/01/1999)
08/31/1999	58	UNOPPOSED MOTION by dfts R. G. Guzman, Romeo G. Guzman, P.A. Family, Alan Varraux, Winter Park Internal, Ivan Castro, Morris T. Bird, John Daniel Mancini to allow response to US's Amicus Curiae with brief in support. (fmm) (Entered: 09/01/1999)
08/31/1999	59	Response by dfts R. G. Guzman, Romeo G. Guzman, P.A. Family, Alan Varraux, Winter Park Internal, Ivan Castro, Tolliver L. Higgins, John Daniel Mancini to [39-1] motion for clarification of settlement rules (fmm) (Entered: 09/01/1999)
08/31/1999	60	LETTER/MOTION by dfts Lincare, Inc., Lincare Holdings,, John P. Byrnes, Lori Demello, Shawn Schabel, Greg McCarthy, Lynn Garapic to extend time to file brief to [39-1] motion clarification of settlement rules by one day (fmm) (Entered: 09/02/1999)
09/02/1999	61	ORDER by Judge Orinda D. Evans GRANTING [60-1] motion to extend time to file brief to [39-1] motion clarification of settlement rules by one day and the dfts shall be allowed thru 8/31/99 to file said brief. (cc) (fmm) (Entered: 09/02/1999)
09/03/1999	62	ORDER by Judge Orinda D. Evans GRANTING [58-1] motion to allow response to US's Amicus Curiae. Dfts shall have to 9/8/99 in which to respond. (cc) (fmm) (Entered: 09/07/1999)
09/07/1999	63	Joint MOTION to extend time to respond to pending motions to dismiss

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		thru 10/7/99 (fmm) (Entered: 09/09/1999)
09/07/1999	(65)	Application for admission of James B. Helmer Jr., Donald P. McKenna Jr., Frederick M. Morgan Jr., Scott A. Powell pro hac vice for plaintiff (fmm) (Entered: 09/09/1999)
09/08/1999		SUBMITTED to Judge Orinda D. Evans on [39-1] motion for clarification of settlement rules (File in Chambers) (fmm) (Entered: 09/08/1999)
09/08/1999	(64)	CONSENT ORDER by Judge Orinda D. Evans GRANTING [63-1] joint motion to extend time to respond to pending motions to dismiss thru 10/7/99, [47-1] motion, [46-1] motion, [45-1] motion, [44-1] motion, [43-1] motion, [43-2] motion, [42-1] motion, [41-1] motion to be submitted on 10/8/99 (cc) (fmm) (Entered: 09/09/1999)
09/08/1999		ENDORSED ORDER by Judge Orinda D. Evans GRANTING [53-1] pro hac vice application (cc) (as) (Entered: 09/09/1999)
09/08/1999	(66)	Reply by dfts R. G. Guzman, Romeo G. Guzman, P.A. Family, Alan Varraux, Winter Park Internal, Ivan Castro, Tolliver L. Higgins, John Daniel Mancini to [54-1] Amicus Curiae Brief by the US (fmm) (Entered: 09/13/1999)
09/09/1999	(67)	Return of service executed 8/23/99 as to Lori Demello on original complaint (fmm) (Entered: 09/13/1999)
09/09/1999	(68)	MOTION by United States Ex Rel to extend time to file Amicus Curiae brief in response to dfts' motions to dismiss thru 10/7/99 with brief in support. (fmm) (Entered: 09/13/1999)
09/10/1999		ENDORSED ORDER by Judge Orinda D. Evans GRANTING [65-1] pro hac vice applications (cc) (as) (Entered: 09/14/1999)
09/15/1999	(69)	Reply by plaintiff to [54-1] Amicus Curiae Brief by the US (fmm) (Entered: 09/17/1999)
09/15/1999	(70)	MOTION by plaintiff for leave to file reply to Amicus Curiae Brief with brief in support. (fmm) (Entered: 09/17/1999)
09/16/1999	(71)	MOTION by defendant Rotech, Inc. to disqualify Mike Bothwell , and to remedy violations of DR 7-104(A)(1) with brief in support. (fmm) Modified on 08/31/2000 (Entered: 09/17/1999)
09/20/1999	(72)	REPLY by plaintiff to response to [39-1] motion for clarification of settlement rules (fmm) (Entered: 09/21/1999)
09/21/1999	(73)	MOTION by defendant Ron Pluchel, defendant Mark Tobin to dismiss the Amemded Complaint against them with brief in support. (aet) (Entered: 09/23/1999)
10/01/1999	(74)	MOTION by defendant Rotech, Inc. to dismiss with brief in support. (fmm) (Entered: 10/04/1999)
10/04/1999	(75)	Supplement to memorandum in support of [74-1] motion to dismiss by

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		dft Rotech (fmm) (Entered: 10/05/1999)
10/04/1999 <i>continued w/ 10/04/99</i>	(79)	Application for admission of William W. Carrier III pro hac vice for defendant Larry Simmons (fmm) (Entered: 10/08/1999)
10/05/1999		SUBMITTED to Judge Orinda D. Evans on [68-1] motion to extend time to file Amicus Curiae brief in response to dfts' motions to dismiss thru 10/7/99 (File in Chambers) (fmm) (Entered: 10/05/1999)
10/05/1999 <i>END VOL. 3</i>	(76)	Memorandum by plaintiff in opposition to [71-1] motion to disqualify Mike Bothwell, [71-2] motion to remedy violations of DR 7-104(A)(1) (fmm) (Entered: 10/05/1999)
10/07/1999 <i>beg. Vol. 4</i>	(77)	ORDER by Judge Orinda D. Evans GRANTING [68-1] motion to extend time to file Amicus Curiae brief in response to dfts' motions to dismiss thru 10/12/99 (cc) (fmm) (Entered: 10/07/1999)
10/07/1999	(78)	Memorandum by plaintiff in opposition to [42-1] motion to dismiss, [43-1] motion to dismiss for untimely service, [43-2] motion to dismiss for failure to comply with FRCP 9(b), [44-1] motion to dismiss for untimely service, [46-1] motion to dismiss pursuant to FRCP 9(B) and 12(B)(6), [73-1] motion to dismiss the Amended Complaint against them (fmm) (Entered: 10/08/1999)
10/07/1999	(80)	MOTION by plaintiff for leave to amend [33-1] amended complaint with brief in support. (fmm) (Entered: 10/08/1999)
10/07/1999	(81)	Amicus Curiae Brief by United States Ex Rel in response to [47-1] motion to dismiss for untimely service, [46-1] motion to dismiss pursuant to FRCP 9(B) and 12(B)(6), [45-1] motion to dismiss, [44-1] motion to dismiss for untimely service, [43-1] motion to dismiss for untimely service, [43-2] motion to dismiss for failure to comply with FRCP 9(b), [42-1] motion to dismiss, [41-1] motion to dismiss pursuant to FRCP 9(B) and 12(B)(6) (fmm) (Entered: 10/12/1999)
10/08/1999		SUBMITTED to Judge Orinda D. Evans on [73-1] motion to dismiss the Amended Complaint against them, [71-1] motion to disqualify Mike Bothwell, [71-2] motion to remedy violations of DR 7-104(A)(1), [70-1] motion for leave to file reply to Amicus Curiae Brief, [47-1] motion to dismiss for untimely service, [46-1] motion to dismiss pursuant to FRCP 9(B) and 12(B)(6), [45-1] motion to dismiss, [44-1] motion to dismiss for untimely service, [43-1] motion to dismiss for untimely service, [43-2] motion to dismiss for failure to comply with FRCP 9(b), [42-1] motion to dismiss, [41-1] motion to dismiss pursuant to FRCP 9(B) and 12(B)(6) (File in Chambers) (fmm) (Entered: 10/08/1999)
10/08/1999	(82)	Notice of filing proposed second amended complaint by plaintiff. (fmm) (Entered: 10/12/1999)
10/12/1999		ENDORSED ORDER by Judge Orinda D. Evans GRANTING [79-1] pro hac vice application (cc) (fmm) (Entered: 10/12/1999)
10/19/1999	(83)	Memorandum by plaintiff in opposition to [74-1] motion to dismiss (fmm) (Entered: 10/21/1999)

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10/21/1999		SUBMITTED to Judge Orinda D. Evans on [74-1] motion to dismiss (File in Chambers) (fmm) (Entered: 10/21/1999)
10/21/1999		Terminated submissions. (fmm) (Entered: 10/21/1999)
10/21/1999	84	Application for admission of Steven D. Gordon pro hac vice for defendant Rotech, Inc. (fmm) (Entered: 10/25/1999)
10/21/1999	85	Application for admission of Nancy Silverman pro hac vice for defendant American Home Pat. (fmm) (Entered: 10/25/1999)
10/22/1999		Proposed Consent Order extending time untill 11/8/99 to respond to [80-1] motion for leave to amend [33-1] amended complaint, and to file reply brief to [43-1] motion to dismiss for untimely service, [43-2] motion to dismiss for failure to comply with FRCP 9(b). to ODE (fmm) (Entered: 10/25/1999)
10/22/1999	86	REPLY by defendant Rotech, Inc. to response to [71-1] motion to disqualify Mike Bothwell, [71-2] motion to remedy violations of DR 7-104(A)(1) (fmm) (Entered: 10/25/1999)
10/25/1999		Proposed Consent Order extending page limitations for dft Varraux. to ODE. (fmm) (Entered: 10/26/1999)
10/25/1999	87	Reply brief to [44-1] motion to dismiss for untimely service by dfts Lincare, Inc., Lincare Holdings, John P. Byrnes, Lori Demello, Shawn Schabel, Greg McCarthy, Lynn Garapic . (fmm) (Entered: 10/26/1999)
10/25/1999	88	REPLY by dfts Lincare, Inc., Lincare Holdings, John P. Byrnes, Lori Demello, Shawn Schabel, Greg McCarthy, Lynn Garapic to response to [45-1] motion to dismiss (fmm) (Entered: 10/26/1999)
10/25/1999	89	Brief by dfts Lincare, Inc., Lincare Holdings, John P. Byrnes, Lori Demello, Shawn Schabel, Greg McCarthy, Lynn Garapic in opposition to [80-1] motion for leave to amend [33-1] amended complaint (fmm) (Entered: 10/26/1999)
10/25/1999	90	Consolidated Brief by defendant Alan Varraux in further support of [42-1] motion to dismiss and response to [80-1] motion for leave to amend [33-1] amended complaint (fmm) (Entered: 10/26/1999)
10/25/1999	91	Consolidated Brief by dfts R. G. Guzman, Romeo G. Guzman, P.A. Family, Winter Park Internal, Ivan Castro, Tolliver L. Higgins, John Daniel Mancini in further support of [42-1] motion to dismiss and in response to [80-1] motion for leave to amend [33-1] amended complaint (fmm) (Entered: 10/26/1999)
10/26/1999	92	Response by defendant Rotech, Inc. in opposition to [80-1] motion for leave to amend [33-1] amended complaint (fmm) (Entered: 10/27/1999)
10/26/1999	93	Amendment by defendant Rotech, Inc. to [86-1] reply to response to motion to disqualify attorney (fmm) (Entered: 10/27/1999)
11/02/1999		ENDORSED ORDER by Judge Orinda D. Evans GRANTING [84-1] pro hac vice application of Steven Gordon (cc) (fmm) (Entered: 11/03/1999)

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11/02/1999		ENDORSED ORDER by Judge Orinda D. Evans GRANTING [85-1] pro hac vice application of Nancy Silverman (cc) (fmm) (Entered: 11/03/1999)
11/02/1999	94	CONSENT ORDER by Judge Orinda D. Evans extending the page limitation for dft Alan Varraux up to and including 25 pages (cc) (fmm) (Entered: 11/03/1999)
11/04/1999		SUBMITTED to Judge Orinda D. Evans on [80-1] motion for leave to amend [33-1] amended complaint (File in Chambers) (fmm) (Entered: 11/04/1999)
11/04/1999	95	REPLY by defendant Rotech, Inc. to response to [74-1] motion to dismiss (fmm) (Entered: 11/05/1999)
11/05/1999	96	CONSENT ORDER by Judge Orinda D. Evans, extending time to file its opposition to [80-1] motion for leave to amend [33-1] amended complaint and to respond to the reply to [43-1] motion to dismiss for untimely service, [43-2] motion to dismiss for failure to comply with FRCP 9(b) thru 11/8/99 (cc) (fmm) (Entered: 11/05/1999)
11/08/1999	97	Consolidated Memorandum by defendant American Home Pat. in support of their opposition to [80-1] motion for leave to amend [33-1] amended complaint and reply to [43-1] motion to dismiss for untimely service, [43-2] motion to dismiss for failure to comply with FRCP 9(b) (fmm) (Entered: 11/12/1999)
11/26/1999	98	REPLY by plaintiff to response to [80-1] motion for leave to amend [33-1] amended complaint (fmm) (Entered: 11/29/1999)
01/13/2000 END VOL. 4	99	ORDER by Judge Orinda D. Evans GRANTING [80-1] motion for leave to amend [33-1] amended complaint. Only 5 dfts remain - Lincare Inc., Lincare Holdings, Rotech, American Home Patient and Alan Varraux. All other dfts are dismissed w/out prejudice pursuant to FRCP 41(a)(1). DISMISSING as moot [41-1] motion to dismiss pursuant to FRCP 9(B) and 12(B)(6) as to all dfts except Alan Varraux, DISMISSING as moot [42-1] motion to dismiss by dfts except Alan Varraux, DISMISSING as moot [44-1] motion to dismiss for untimely service by dfts except Lincare Inc and Lincare Holdings, DISMISSING as moot [45-1] motion to dismiss by dfts except Lincare Inc, and Lincare Holdings, DISMISSING as moot the [46-1] motion to dismiss pursuant to FRCP 9 (B) and 12(B)(6) by Larry Simmons, DISMISSING as moot the [47-1] motion to dismiss for untimely service by Larry Simmons, DISMISSING as moot the [73-1] motion to dismiss the Amended Complaint against them by Mark Tobin, Ron Pluchel (cc) (fmm) Modified on 01/13/2000 (Entered: 01/13/2000)
01/13/2000		Terminated submissions. (fmm) (Entered: 01/13/2000)
01/13/2000 Brq. Vol. 5	100	SECOND AMENDED COMPLAINT by plaintiff (fmm) (Entered: 01/27/2000)
01/27/2000	101	MOTION by defendant Lincare, Inc., defendant Lincare Holdings,,

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		defendant Alan Varraux, defendant American Home Pat. to stay proceedings with brief in support. (fmm) (Entered: 02/01/2000)
01/27/2000	102	CONDITIONAL MOTION by defendant Lincare, Inc., defendant Lincare Holdings,, defendant Alan Varraux, defendant American Home Pat. for scheduling order with brief in support. (fmm) (Entered: 02/01/2000)
02/03/2000	103	Notice by CRD motion hearing set for [39-1] motion for clarification of settlement rules and [71-1] motion to disqualify Mike Bothwell at 3:00pm on 2/11/00 (cc by CRD) (fmm) (Entered: 02/04/2000)
02/09/2000	104	Withdrawal of [39-1] motion for clarification of settlement rules (fmm) (Entered: 02/10/2000)
02/10/2000	105	Notice by CRD cancelling conference scheduled for 2/11/00. (cc by CRD) (fmm) (Entered: 02/11/2000)
02/11/2000	106	Response by plaintiff in opposition to [102-1] motion for scheduling order (fmm) (Entered: 02/14/2000)
02/11/2000	107	Response by plaintiff in opposition to [101-1] motion to stay proceedings (fmm) (Entered: 02/14/2000)
02/14/2000		SUBMITTED to Judge Orinda D. Evans on [101-1] motion to stay proceedings, [102-1] motion for scheduling order (File in Chambers) (fmm) (Entered: 02/14/2000)
02/17/2000	108	MOTION by defendant Rotech, Inc. to substitute attorney (fmm) (Entered: 02/22/2000)
02/18/2000	109	Notice of supplemental authority in support of dft's motion to stay by defendant Lincare Holdings,, defendant Lincare, Inc. . (fmm) (Entered: 02/22/2000)
02/23/2000	110	Reply brief to [102-1] motion for scheduling order and [101-1] motion to stay proceedings by Alan Varraux, Lincare Holdings, Lincare, Inc. and American Home Pat. (bsm) (Entered: 02/24/2000)
02/25/2000	111	ORDER by Judge Orinda D. Evans GRANTING [108-1] motion to substitute attorney terminating attorney Steven D. Gordon for Rotech, Inc., attorney Elizabeth Catherine Helm for Rotech, Inc. and adding Jerry L. Sims (cc) (fmm) (Entered: 02/28/2000)
02/25/2000	112	Notice of bankruptcy stay by defendant Rotech, Inc. (fmm) (Entered: 02/29/2000)
02/28/2000	113	Notice of adoption of reply brief in support of dft's motion to say proceedings and for schedulin order filed 2/23/00 by defendant American Home Pat. (fmm) (Entered: 03/03/2000)
02/28/2000	114	REPLY by defendant American Home Pat. to response to [102-1] motion for scheduling order (fmm) (Entered: 03/03/2000)
02/29/2000	115	MOTION by defendant American Home Pat. to dismiss second amended

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		complaint for failure to comply with FRCP 9(b) and for failure to state a claim with brief in support. (fmm) (Entered: 03/03/2000)
02/29/2000	116	RENEWED MOTION by defendant Lincare Holdings,, defendant Lincare, Inc. to dismiss pursuant to FRCP 9(B) and 12(B)(6) with brief in support. (fmm) (Entered: 03/03/2000)
02/29/2000	117	MOTION by defendant Lincare Holdings,, defendant Lincare, Inc. to dismiss qui tam claims on constitutional grounds with brief in support. (fmm) (Entered: 03/03/2000)
02/29/2000	118	Notice of adoption of Lincare's brief in support of motio to dismiss qui tam claims on constitutional grounds by defendant American Home Pat. (fmm) (Entered: 03/03/2000)
02/29/2000	119	Notice of adoption of Lincare, Inc. and Lincare Holdings' motion to dismiss on constitutional grounds by defendant Alan Varraux . (fmm) (Entered: 03/03/2000)
02/29/2000	120	Notice of adoption of Lincare Inc. and Lincare Holdings' renewed motion to dismiss by defendant Alan Varraux . (fmm) (Entered: 03/03/2000)
02/29/2000 END Vol. 5	121	UNOPPOSED MOTION by defendant Lincare Holdings,, defendant Lincare, Inc. to file excess pages limitation with brief in support. (fmm) (Entered: 03/03/2000)
03/14/2000 Big Vol. 6	122	ORDER by Judge Orinda D. Evans for the purposes of clarification and as all remaining parties have filed renewed motions to dismiss the amended complaint, DISMISSES [41-1] motion to dismiss pursuant to FRCP 9(B) and 12(B)(6), [42-1] motion to dismiss, [43-1] motion to dismiss for untimely service, [43-2] motion to dismiss for failure to comply with FRCP 9(b), [44-1] motion to dismiss for untimely service, [45-1] motion to dismiss (cc) (fmm) (Entered: 03/15/2000)
03/14/2000	123	ORDER by Judge Orinda D. Evans GRANTING [121-1] motion to file excess pages limitation (cc) (fmm) (Entered: 03/15/2000)
03/17/2000	124	CONSENT MOTION by plaintiff to extend time to respond to [115-1] motion to dismiss, [116-1] motion to dismiss, and [117-1] motion to dismiss thru 4/3/00 w/proposed consent order (to ODE) (fmm) (Entered: 03/21/2000)
03/17/2000	125	UNOPPOSED MOTION by United States Ex Rel to file excess pages limitation with brief in support. (fmm) (Entered: 03/21/2000)
03/17/2000	126	Amicus Curiae Brief by United States Ex Rel in response to [117-1] motion to dismiss qui tam claims on constitutional grounds (fmm) (Entered: 03/21/2000)
03/17/2000	127	Amicus Curiae Brief by United States Ex Rel in reponse to [115-1] motion to dismiss second amended complaint for failure to comply with FRCP 9(b) and for failure to state a claim, [116-1] motion to dismiss pursuant to FRCP 9(B) and 12(B)(6) (fmm) (Entered: 03/21/2000)

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03/22/2000	<u>128</u>	CONSENT ORDER by Judge Orinda D. Evans GRANTING [124-1] motion to extend time to respond to [115-1] motion to dismiss, [116-1] motion to dismiss, and [117-1] motion to dismiss thru 4/3/00, FINAL EXTENSION. [117-1] motion to dismiss, [116-1] motion to dismiss, [115-1] motion to dismiss to be submitted on 4/4/00 (cc) (fmm) Modified on 03/22/2000 (Entered: 03/22/2000)
03/22/2000	<u>129</u>	ORDER by Judge Orinda D. Evans GRANTING [125-1] motion to file excess pages limitation (cc) (fmm) (Entered: 03/22/2000)
04/04/2000	<u>130</u>	Relator's Memorandum in Opposition to [116-1] motion to dismiss by Lincare, Inc., and Lincare Holdings, [115-1] motion to dismiss by American Homepatient, Inc., and [120-1] by Alan Varraux, M.C. (aet) (Entered: 04/05/2000)
04/04/2000	<u>131</u>	Relator's Memorandum in Opposition to [117-1], [118-1], and [119-1] motions to dismiss qui tam claims on constitutional grounds (aet) (Entered: 04/05/2000)
04/10/2000		SUBMITTED to Judge Orinda D. Evans on [115-1] motion to dismiss second amended complaint for failure to comply with FRCP 9(b) and for failure to state a claim, [116-1] motion to dismiss pursuant to FRCP 9(B) and 12(B)(6), [117-1] motion to dismiss qui tam claims on constitutional grounds (File in Chambers) (fmm) (Entered: 04/10/2000)
04/11/2000	<u>132</u>	UNOPPOSED MOTION by defendant Lincare Holdings,, defendant Lincare, Inc. to extend time thru 5/1/00 to file reply briefs pertaining to [117-1] motion to dismiss qui tam claims on constitutional grounds , and to file excess pages limitation . (to ODE) (crc) Modified on 04/12/2000 (Entered: 04/12/2000)
04/17/2000		Proposed Consent Order extending the time to file reply briefs to [117-1] motion to dismiss, [116-1] motion to dismiss, [115-1] motion to dismiss thru 5/1/00 (to ODE) (fmm) (Entered: 04/18/2000)
04/20/2000	<u>133</u>	CONSENT ORDER by Judge Orinda D. Evans GRANTING [132-1] motion to extend time thru 5/1/00 to file reply briefs pertaining to [117-1] motion to dismiss qui tam claims on constitutional grounds, GRANTING [132-2] motion to file excess pages limitation (cc) (fmm) (Entered: 04/21/2000)
04/25/2000	<u>134</u>	CONSENT ORDER by Judge Orinda D. Evans, extending time for dft AHOM to file a reply to [115-1] motion to dismiss second amended complaint for failure to comply with FRCP 9(b) and for failure to state a claim, [116-1] motion to dismiss pursuant to FRCP 9(B) and 12(B)(6), [117-1] motion to dismiss qui tam claims on constitutional grounds thru 5/1/00 (cc) (fmm) (Entered: 04/25/2000)
04/27/2000	<u>135</u>	ORDER by Judge Orinda D. Evans GRANTING [101-1] motion to stay proceedings, denying as moot the [102-1] motion for scheduling order by American Home Pat., Alan Varraux, Lincare Holdings,, Lincare, Inc., dismissing as moot the [70-1] motion for leave to file reply to Amicus Curiae Brief by Kirk S. Corsello. The court shall retain jurisdiction and

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		the case shall be restored to the docket upon motion of a party after the USSC issues its ruling in Vermont Agency of Natural Resources v. US ex rel Stevens The clerk is DIRECTED to administratively close the action . (cc) (fmm) (Entered: 04/28/2000)
04/27/2000		Terminated submissions. (fmm) (Entered: 04/28/2000)
04/27/2000		Case terminated. (fmm) (Entered: 04/28/2000)
05/01/2000	136	Reply brief to [117-1] motion to dismiss qui tam claims on constitutional grounds by defendant Lincare, Inc. . (crc) (Entered: 05/03/2000)
05/01/2000	137	REPLY by defendant Lincare Holdings,, defendant Lincare, Inc. to response to memo in opposition to motion to dismiss. (crc) (Entered: 05/03/2000)
05/01/2000	138	REPLY by defendant American Home Pat. to relator's opposition to Motion to dismiss relator's second amended complaint. (crc) (Entered: 05/03/2000)
05/23/2000	139	Adoption of Reply to Relator's opposition to [138-1] American Homepatient, Inc.'s Motion to dismiss Relator's second amended complaint by dft Alan Varraux, M.D.. (crc) Modified on 05/24/2000 (Entered: 05/24/2000)
05/25/2000 END VOL. 6	140	MOTION by plaintiff to lift stay with brief in support. (fmm) (Entered: 05/30/2000)
06/12/2000 B.G. VOL. 7	141	Response by defendant Lincare Holdings,, defendant Lincare, Inc. to [140-1] motion to lift stay (crc) (Entered: 06/14/2000)
06/19/2000		SUBMITTED to Judge Orinda D. Evans on [140-1] motion to lift stay (fmm) (Entered: 06/19/2000)
06/23/2000	142	ORDER by Judge Orinda D. Evans GRANTING [140-1] motion to lift stay, DENYING [71-1] motion to disqualify Mike Bothwell by Rotech, Inc., DENYING [71-2] motion to remedy violations of DR 7-104(A)(1) by Rotech, Inc. Clerk is directed to restore this case to the active docket and reopen the file. (cc) (fmm) (Entered: 06/23/2000)
06/23/2000		Case reopened. (fmm) (Entered: 06/23/2000)
06/23/2000		Terminated submissions. (fmm) (Entered: 06/23/2000)
07/11/2000	143	MOTION by defendant Alan Varraux to withdraw by Shannon Thyme Klinger, William Roy Mitchelson Jr. as attorney for Alan Varraux with brief in support. (fmm) (Entered: 07/13/2000)
08/29/2000	144	MOTION by dfts Lincare Holdings,, dfts Lincare, Inc. to file a supplemental brief in light of new authority (fmm) (Entered: 08/31/2000)
08/29/2000	145	Supplemental Brief by dfts Lincare Holdings, Lincare, Inc. in support of [116-1] motion to dismiss pursuant to FRCP 9(B) and 12(B)(6) (fmm) (Entered: 08/31/2000)

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08/31/2000		SUBMITTED to Judge Orinda D. Evans on [74-1] motion to dismiss, [115-1] motion to dismiss second amended complaint for failure to comply with FRCP 9(b) and for failure to state a claim, [116-1] motion to dismiss pursuant to FRCP 9(B) and 12(B)(6), [117-1] motion to dismiss qui tam claims on constitutional grounds, [143-1] motion to withdraw by Shannon Thyme Klinger, William Roy Mitchelson Jr. as attorney for Alan Varraux (fmm) (Entered: 08/31/2000)
09/05/2000	(146)	Notice by CRD, motion hearing set for [74-1] motion to dismiss at 2:00 pm on 9/13/00 (cc by CRD) (fmm) (Entered: 09/06/2000)
09/08/2000	(147)	ORDER by Judge Orinda D. Evans GRANTING [143-1] motion to withdraw by Shannon Thyme Klinger, William Roy Mitchelson Jr. as attorney for Alan Varraux. Dft Varraux is DIRECTED to either have new counsel file a notice of appearance or file written notice of his intention to proceed pro se w/in 20 days. Clerk is directed to serve dft at 60 W. Columbia St, Suite F, Orlando, FL 32806. [147-1] order to be submitted on 9/30/00 (cc) (fmm) (Entered: 09/08/2000)
09/08/2000	(148)	ORDER by Judge Orinda D. Evans DISMISSING w/out prejudice [74-1] motion to dismiss and CANCELING the hearing set for 9/13/00 at 2:00 pm. (cc by CRD) (fmm) (Entered: 09/08/2000)
09/18/2000	(149)	Response by plaintiff in opposition to [144-1] motion to file a supplemental brief in light of new authority (fmm) (Entered: 09/19/2000)
09/19/2000		SUBMITTED to Judge Orinda D. Evans on [144-1] motion to file a supplemental brief in light of new authority (File in Chambers) (fmm) (Entered: 09/19/2000)
09/22/2000	(150)	Reply brief to [144-1] motion to file a supplemental brief in light of new authority by defendant Lincare Holdings,, defendant Lincare, Inc. . (fmm) (Entered: 09/25/2000)
10/05/2000		SUBMITTED to Judge Orinda D. Evans on [147-1] order (fmm) (Entered: 10/05/2000)
10/10/2000	(151)	Notice of intent to proceed pro se by defendant Alan Varraux (fmm) (Entered: 10/11/2000)
12/05/2000	(152)	MOTION by dfts Lincare Holdings, Lincare, Inc. to dismiss pursuant to 31 USC 3730(b)(5) and FRCP 12(b)(1) with brief in support. (fmm) (Entered: 12/06/2000)
12/06/2000	(153)	Corrected MOTION by dfts Lincare Holdings, Lincare, Inc. correcting the style and case number of [152-1] motion to dismiss pursuant to 31 USC 3730(b)(5) and FRCP 12(b)(1) (fmm) (Entered: 12/08/2000)
12/19/2000	(154)	Adoption by defendant American Home Pat. to [152-1] motion to dismiss pursuant to 31 USC 3730(b)(5) and FRCP 12(b)(1) (fmm) (Entered: 12/20/2000)
12/19/2000	(155)	UNOPPOSED MOTION by dfts Lincare Holdings, Lincare, Inc. to extend time thru 1/16/01 for pla to respond to [152-1] motion to dismiss

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		pursuant to 31 USC 3730(b)(5) and FRCP 12(b)(1) and thru 2/12/01 for dfts to file reply brief (fmm) (Entered: 12/21/2000)
12/22/2000	156	CONSENT ORDER by Judge Orinda D. Evans GRANTING [155-1] motion to extend time thru 1/16/01 for pla to respond to [152-1] motion to dismiss pursuant to 31 USC 3730(b)(5) and FRCP 12(b)(1) and thru 2/12/01 for dfts to file reply brief, [152-1] motion and [153-1] corrected motion to be submitted on 1/17/01 (cc) (fmm) (Entered: 12/27/2000)
12/27/2000	157	MOTION by dfts Lincare Holdings, Lincare, Inc. for leave to file supplemental brief in light of Clausen decision w/proposed brief (fmm) (Entered: 12/28/2000)
12/27/2000	158	Attorney appearance for defendant American Home Pat. by John Gulton Malcolm (fmm) (Entered: 12/28/2000)
01/05/2001 End Vol. 7	159	Adoption by defendant American Home Pat. of [157-1] motion for leave to file supplemental brief in light of Clausen decision (fmm) (Entered: 01/08/2001)
01/16/2001 Bag. Vol. 8	160	Consolidated memorandum by plaintiff in opposition to [152-1] motion to dismiss pursuant to 31 USC 3730(b)(5) and FRCP 12(b)(1), [153-1] amended motion to dismiss pursuant to 31 USC 3730(b)(5) and FRCP 12(b)(1) (fmm) (Entered: 01/18/2001)
01/18/2001		SUBMITTED to Judge Orinda D. Evans on [152-1] motion to dismiss pursuant to 31 USC 3730(b)(5) and FRCP 12(b)(1), [153-1] amended motion to dismiss pursuant to 31 USC 3730(b)(5) and FRCP 12(b)(1) (fmm) (Entered: 01/18/2001)
01/23/2001	161	CONSENT ORDER by Judge Orinda D. Evans, extending time thru 1/30/01 to respond to [157-1] motion for leave to file supplemental brief in light of Clausen decision, [157-1] motion to be submitted on 1/31/01 (cc) (fmm) (Entered: 01/23/2001)
01/30/2001	162	Notice of withdrawal of appearance by Robert P. Marcovitch for defendant American HomePatient, Inc. (adg) Modified on 02/01/2001 (Entered: 02/01/2001)
01/30/2001	163	Memorandum by plaintiff Kirk S. Corsello in opposition to [157-1] motion for leave to file supplemental brief in light of Clausen decision (adg) (Entered: 02/01/2001)
02/01/2001		SUBMITTED to Judge Orinda D. Evans on [157-1] motion for leave to file supplemental brief in light of Clausen decision (File in chambers) (adg) (Entered: 02/01/2001)
02/05/2001	164	Notice of withdrawal of appearance of Atty Wilmer Parker III by defendant American Home Pat (fmm) (Entered: 02/07/2001)
02/07/2001	165	UNOPPOSED MOTION by dfts Lincare Holdings, Lincare, Inc. to extend time thru 2/26/01 to file reply brief to [152-1] and [153-1] motion to dismiss pursuant to 31 USC 3730(b)(5) and FRCP 12(b)(1) (fmm) (Entered: 02/08/2001)

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02/13/2001	(166)	CONSENT ORDER by Judge Orinda D. Evans GRANTING [165-1] motion to extend time thru 2/16/01 to file reply brief to [152-1] and [153-1] motion to dismiss pursuant to 31 USC 3730(b)(5) and FRCP 12(b)(1) (cc) (fmm) (Entered: 02/13/2001)
02/16/2001	(167)	Reply brief to [157-1] motion for leave to file supplemental brief in light of Clausen decision by dfts Lincare Holdings, Lincare, Inc. (fmm) (Entered: 02/20/2001)
02/16/2001 END VOL.	(168)	Reply brief to [152-1] motion to dismiss pursuant to 31 USC 3730(b)(5) and FRCP 12(b)(1) by dfts Lincare Holdings, Lincare, Inc. (fmm) (Entered: 02/20/2001)
02/16/2001 Beg. Vol.	(169)	MOTION by defendant American Home Pat. to adopt [167-1] reply brief by dfts Lincare and Lincare Holdings on Clausen decision (fmm) (Entered: 02/21/2001)
02/16/2001	(170)	MOTION by defendant American Home Pat. to adopt [168-1] reply brief by dfts Lincare and Lincare Holdings supporting dismissal under 31 USC 3730(b)(5) (fmm) (Entered: 02/21/2001)
03/09/2001	(171)	ORDER by Judge Orinda D. Evans GRANTING [115-1] motion to dismiss second amended complaint for failure to comply with FRCP 9(b) and for failure to state a claim, GRANTING [116-1] motion to dismiss pursuant to FRCP 9(B) and 12(B)(6), GRANTING nunc pro tunc [144-1] motion to file a supplemental brief in light of new authority, GRANTING nunc pro tunc [157-1] motion for leave to file supplemental brief in light of Clausen decision, denying as moot the [117-1] motion to dismiss qui tam claims on constitutional grounds by Lincare, Inc., Lincare Holdings,, denying as moot the [152-1] motion to dismiss pursuant to 31 USC 3730 (b)(5) and FRCP 12(b)(1) by Lincare, Inc., Lincare Holdings,, denying as moot the [153-1] amend/amended motion [152-1] motion to dismiss pursuant to 31 USC 3730(b)(5) and FRCP 12(b)(1) by Lincare, Inc., Lincare Holdings, (cc) (fmm) (Entered: 03/09/2001)
03/09/2001		Terminated submissions. (fmm) (Entered: 03/09/2001)
03/09/2001		Case terminated. (fmm) (Entered: 03/09/2001)
04/06/2001	(172)	NOTICE OF APPEAL by plaintiff from [171-1] order FILING FEE \$ 105.00 RECEIPT # 469507 Appeal information sheet due 4/20/01 (kac) (Entered: 04/12/2001)
04/12/2001		Notice of appeal, order and certified copy of docket to USCA RE: [172-1] appeal (kac) (Entered: 04/12/2001)
04/16/2001	(173)	Acknowledgment by USCA RE: [172-1] appeal USCA dkt no. 01-11968-E (epm) (Entered: 04/20/2001)
06/26/2001	(174)	Request for Certificate of Readiness from USCA RE: [172-1] appeal USCA # 01-11968-E (kac) (Entered: 07/02/2001)
06/26/2001		FORTHWITH LETTER from USCA regarding [172-1] appeal. USCA dkt no. 01-11968-E Appeal record due on 7/6/01 (kac) (Entered: 06/26/2001)

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		07/02/2001)
07/02/2001		CERTIFICATE OF READINESS of appeal record with certified copy of docket mailed to USCA RE: [172-1] appeal USCA # 01-11968-E (12 Vols. pldgs-1 FILED UNDER SEAL) (kac) (Entered: 07/02/2001)
07/02/2001		Certified and transmitted record to USCA RE: [172-1] appeal USCA dkt no. 01-11968-E (12 Vols. pldgs-1 FILED UNDER SEAL) (kac) (Entered: 07/02/2001)
07/10/2001		USCA acknowledgment of COR & ROA RE: [172-1] appeal USCA # 01-11968-E (kac) (Entered: 07/11/2001)
12/21/2001	175	Certified copy of ORDER of USCA DISMISSING [172-1] appeal for want of jurisdiction. USCA dkt no. 01-11968 (fmm) (Entered: 01/02/2002)
07/15/2002		Appeal record returned from USCA RE: [172-1] appeal USCA dkt. # 01-11968-EE (11 vol. pleadings) (ck) (Entered: 07/22/2002)
07/25/2002		Appeal record returned from USCA RE: [172-1] appeal USCA dkt. # 01-11968-EE (1 vol. Sealed pleadings) (ck) (Entered: 07/26/2002)
08/05/2002	176	Notice of of bankruptcy by defendant American Home Pat. (fmm) (Entered: 08/06/2002)
08/26/2002	177	Certification of Consent to Substitution of Counsel for defendant Rotech, Inc. John D. Dalbey, Roger S. Goldman replacing attorney Jerry L. Sims for Rotech, Inc. (fmm) (Entered: 08/27/2002)
09/06/2002	178	MOTION by defendant Rotech, Inc. to dismiss second amended complaint with brief in support. (cdg) (Entered: 09/09/2002)
09/20/2002	179	CONSENT MOTION by plaintiff to extend time thru 10/18/02 for pla to respond to [178-1] motion to dismiss second amended complaint with prop consent order (cdg) (Entered: 09/23/2002)
09/24/2002	181	Application for admission of Roger S. Goldman pro hac vice for defendant Rotech, Inc. (to ODE) (fmm) (Entered: 09/25/2002)
09/25/2002	180	CONSENT ORDER by Judge Orinda D. Evans GRANTING [179-1] motion to extend time thru 10/18/02 for pla to respond to [178-1] motion to dismiss second amended complaint, [178-1] motion to dismiss second amended complaint to be submitted on 10/21/02 (cc) (fmm) (Entered: 09/25/2002)
09/30/2002	182	ORDER by Judge Orinda D. Evans GRANTING [181-1] pro hac vice application of Roger S. Goldman (cc) (fmm) (Entered: 10/01/2002)
10/18/2002	183	Response by plaintiff in opposition to [178-1] motion to dismiss second amended complaint (fmm) (Entered: 10/21/2002)
10/18/2002	184	MOTION by plaintiff for leave amend [100-1] second amended complaint , and for relief from the [171-1] order of dismissal with brief in support. (fmm) (Entered: 10/21/2002)

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10/22/2002		SUBMITTED to Judge Orinda D. Evans on [178-1] motion to dismiss second amended complaint (fmm) (Entered: 10/22/2002)
11/01/2002	(185)	CONSENT ORDER by Judge Orinda D. Evans, extending time thru 11/14/02 for dfts to respond to [184-1] motion for leave amend [100-1] second amended complaint, [184-2] motion for relief from the [171-1] order of dismissal, [184-1] motion and [184-2] motion to be submitted on 11/15/02 (cc) (fmm) (Entered: 11/04/2002)
11/04/2002	(186)	MOTION by defendant Rotech, Inc. to extend time thru 11/14/02 to reply to relator's opposition to [178-1] motion to dismiss second amended complaint with prop order (to ODE) (fmm) (Entered: 11/05/2002)
11/13/2002	(187)	Response by defendant Rotech, Inc. in opposition to [184-1] motion for leave amend [100-1] second amended complaint, [184-2] motion for relief from the [171-1] order of dismissal (fmm) (Entered: 11/14/2002)
11/13/2002	(188)	Reply brief to [178-1] motion to dismiss second amended complaint by defendant Rotech, Inc. . (fmm) (Entered: 11/14/2002)
11/14/2002	(189)	ORDER by Judge Orinda D. Evans GRANTING [186-1] motion to extend time thru 11/14/02 to reply to relator's opposition to [178-1] motion to dismiss second amended complaint (cc) (fmm) (Entered: 11/15/2002)
11/14/2002 END vol. 9	(190)	Brief by dfts Lincare Holdings, Lincare, Inc. in opposition to [184-1] motion for leave amend [100-1] second amended complaint, [184-2] motion for relief from the [171-1] order of dismissal (fmm) (Entered: 11/15/2002)
11/18/2002		SUBMITTED to Judge Orinda D. Evans on [184-1] motion for leave amend [100-1] second amended complaint, [184-2] motion for relief from the [171-1] order of dismissal (File in Chambers) (fmm) (Entered: 11/18/2002)
11/27/2002 Brg. Vol. 10	(191)	Reply brief in support of [184-1] motion for leave amend [100-1] second amended complaint, [184-2] motion for relief from the [171-1] order of dismissal by plaintiff. (adg) (Entered: 11/29/2002)
06/02/2003	(192)	ORDER by Judge Orinda D. Evans GRANTING IN PART AND DENYING IN PART [178-1] motion to dismiss second amended complaint by Rotech, Inc., motion is GRANTED w/respect to Count I and DENIED w/respect to Count III; GRANTING IN PART AND DENYING IN PART [184-2] motion for relief from the [171-1] order of dismissal by Kirk S. Corsello, motion is GRANTED with regards to dfts Lincare, Lincare Holding, American HomePatient and Alan Varraux with respect to Count II against the Lincare dfts and DENIED as against the remaining dfts, DENYING [184-1] motion for leave amend [100-1] second amended complaint by Kirk S. Corsello (cc) (fmm) (Entered: 06/02/2003)
06/02/2003		Terminated submissions. (fmm) (Entered: 06/02/2003)
06/30/2003	(193)	CONSENT ORDER by Judge Orinda D. Evans, extending time thru

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		7/3/03 for dft Lincare Inc., Lincare Holdings and Rotech to answer [33-1] amended complaint (cc) (fmm) (Entered: 07/01/2003)
07/02/2003	<u>194</u>	MOTION by dfts Lincare Holdings, Lincare, Inc. for a more definite statement , to strike , or to extend time by 30 days to answer [33-1] amended complaint with brief in support. (fmm) (Entered: 07/03/2003)
07/03/2003	<u>195</u>	MOTION by Rotech, Inc. for a more definite statement , to strike all portions of the [100-1] second amended complaint now made irrelevant by this Court's dismissal of Count I , or, to extend time of 30 days in which to answer the second amended complaint with brief in support. (ck) (Entered: 07/07/2003)
07/08/2003	<u>196</u>	ORDER by Judge Orinda D. Evans, for clarification . It was the court's intent to reopen this matter. The clerk is directed to reopen. (cc) (crc) (Entered: 07/10/2003)
07/08/2003		Case reopened. (crc) (Entered: 07/10/2003)
07/21/2003	<u>197</u>	Response by plaintiff in opposition to [194-1] motion for a more definite statement, [194-2] motion to strike, [194-3] motion to extend time by 30 days to answer [33-1] amended complaint, [195-1] motion for a more definite statement, [195-2] motion to strike all portions of the [100-1] second amended complaint now made irrelevant by this Court's dismissal of Count I, [195-3] motion to extend time of 30 days in which to answer the second amended complaint (fmm) (Entered: 07/22/2003)
07/25/2003		SUBMITTED to Judge Orinda D. Evans on [194-1] motion for a more definite statement, [194-2] motion to strike, [194-3] motion to extend time by 30 days to answer [33-1] amended complaint, [195-1] motion for a more definite statement, [195-2] motion to strike all portions of the [100-1] second amended complaint now made irrelevant by this Court's dismissal of Count I, [195-3] motion to extend time of 30 days in which to answer the second amended complaint (fmm) (Entered: 07/25/2003)
08/06/2003	<u>198</u>	Reply brief to [195-1] motion for a more definite statement, [195-2] motion to strike all portions of the [100-1] second amended complaint now made irrelevant by this Court's dismissal of Count I, [195-3] motion to extend time of 30 days in which to answer the second amended complaint by defendant Rotech, Inc. . (fmm) (Entered: 08/08/2003)
08/06/2003	<u>199</u>	Reply brief to [194-1] motion for a more definite statement, [194-2] motion to strike, [194-3] motion to extend time by 30 days to answer [33-1] amended complaint by dfts Lincare Holdings, Lincare, Inc. (fmm) (Entered: 08/08/2003)
09/09/2003	<u>200</u>	ORDER by Judge Orinda D. Evans GRANTING [194-2] motion to strike, GRANTING [195-2] motion to strike all portions of the [100-1] second amended complaint now made irrelevant by this Court's dismissal of Count I, GRANTING [194-1] motion for a more definite statement, GRANTING [195-1] motion for a more definite statement, and DENYING AS MOOT the [194-3] motion to extend time by 30 days to answer [33-1] amended by Lincare, Inc., Lincare Holdings, and the [195-

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		3] motion to extend time of 30 days in which to answer the second amended complaint by Rotech, Inc. (cc) (ck) (Entered: 09/10/2003)
09/09/2003		Terminated submissions. (ck) (Entered: 09/10/2003)
09/26/2003	<u>201</u>	CONSENT MOTION by plaintiff to extend time thru 10/24/03 to respond to [200-1] order w/prop order (fmm) (Entered: 09/29/2003)
10/03/2003	<u>202</u>	Notice of Substitution of Counsel for United States Ex Rel . Mina Rhee replacing attorney Daniel A. Caldwell for United States Ex Rel (fmm) (Entered: 10/06/2003)
10/08/2003	<u>203</u>	CONSENT ORDER by Judge Orinda D. Evans GRANTING [201-1] motion to extend time thru 10/24/03 to respond to [200-1] order, [200-1] order to be submitted on 10/27/03 (cc) (fmm) (Entered: 10/09/2003)
10/24/2003	<u>204</u>	FOURTH AMENDED COMPLAINT by plaintiff (fmm) (Entered: 10/27/2003)
10/31/2003		Proposed Consent Order extending time thru 11/25/03 for Lincare Inc and Lincare Holdings to answer [204-1] fourth amended complaint. (to ODE) (fmm) (Entered: 11/03/2003)
11/05/2003	<u>205</u>	CONSENT ORDER by Judge Orinda D. Evans, extending time thru 11/25/03 to answer [204-1] fourth amended complaint , Answer due 11/25/03 for Lincare, Inc., for Lincare Holdings, (cc) (fmm) (Entered: 11/06/2003)
11/25/2003	<u>206</u>	ANSWER to amended complaint [204-1] by Rotech, Inc. (fmm) (Entered: 11/26/2003)
11/25/2003	<u>207</u>	MOTION by dfts Lincare Holdings, Lincare, Inc. to dismiss pla's fourth amended complaint with brief in support. (fmm) (Entered: 11/26/2003)
12/16/2003	<u>208</u>	Response by plaintiff in opposition to [207-1] motion to dismiss pla's fourth amended complaint (fmm) (Entered: 12/18/2003)
12/23/2003		SUBMITTED to Judge Orinda D. Evans on [207-1] motion to dismiss pla's fourth amended complaint (fmm) (Entered: 12/23/2003)
01/05/2004	<u>209</u>	Reply brief to [207-1] motion to dismiss pla's fourth amended complaint by dfts Lincare Holdings, Lincare, Inc (fmm) (Entered: 01/06/2004)
07/14/2004	<u>210</u>	ORDER denying <u>207</u> Motion to Dismiss pla's fourth amended complaint. Signed by Judge Orinda D. Evans on 7/14/04. (fmm) (Entered: 07/17/2004)
07/26/2004	<u>211</u>	Consent MOTION for Extension of Time to File Answer by Lincare Holdings, Inc., Lincare, Inc.. (Fox, Benjamin) (Entered: 07/26/2004)
08/16/2004 END VOL. 10	<u>212</u>	ANSWER to Amended Complaint by Lincare Holdings, Inc., Lincare, Inc..(Fox, Benjamin) (Entered: 08/16/2004)
09/08/2004 Beg. Vol. 11	<u>213</u>	ORDER granting nunc pro tunc <u>211</u> Motion for Extension of Time to Answer thru 8/16/04. Signed by Judge Orinda D. Evans on 9/7/04. (fmm)

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		(Entered: 09/09/2004)
09/20/2004	214	PRELIMINARY REPORT AND DISCOVERY SCHEDULE filed by Lincare Holdings, Inc., Lincare, Inc.. (Fox, Benjamin) (Entered: 09/20/2004)
09/29/2004	215	Certificate of Interested Persons by Kirk S. Corsello, Lincare Holdings, Inc., Lincare, Inc., Rotech, Inc.. (Fox, Benjamin) (Entered: 09/29/2004)
09/29/2004	216	Corporate Disclosures pursuant to Rule 7.1 by Lincare Holdings, Inc., Lincare, Inc.. (Attachments: # 1 A & B)(Fox, Benjamin) (Entered: 09/29/2004)
09/29/2004	217	Response to Initial Disclosures by Kirk S. Corsello.(McKenna, Donald) (Entered: 09/29/2004)
09/30/2004	218	Initial Disclosures by Rotech, Inc.. (Attachments: # 1 Exhibits)(adg) (Entered: 10/01/2004)
10/14/2004	219	SCHEDULING ORDER approving 214 Preliminary Report and Discovery Schedule. Discovery ends on 1/16/2005. Signed by Judge Orinda D. Evans on 10/14/04. (fmm) (Entered: 10/15/2004)
11/30/2004	220	NOTICE by Lincare Holdings, Inc., Lincare, Inc. of <i>Service of Discovery</i> (Fox, Benjamin) (Entered: 11/30/2004)
12/03/2004	221	Consent MOTION to Add Party <i>Rotech Medical Corporation</i> , Consent MOTION to Amend <i>complaint</i> with Brief In Support by Kirk S. Corsello. (Attachments: # 1 Exhibit proposed amended complaint# 2 Text of Proposed Order)(McKenna, Donald) (Entered: 12/03/2004)
12/03/2004	222	Memorandum in support of 221 Consent MOTION to Add Party <i>Rotech Medical Corporation</i> , Consent MOTION to Amend <i>complaint</i> with Brief In Support by Kirk S. Corsello. (McKenna, Donald) Modified on 12/22/2004 to correct docket text as pleading incorrectly e-filed as motion (fmm). (Entered: 12/03/2004)
12/06/2004	223	CERTIFICATE OF SERVICE re: service of first interrogatories and first requests for production of documents by Rotech, Inc. (fmm) (Entered: 12/10/2004)
12/14/2004	224	NOTICE by Kirk S. Corsello of <i>service of discovery to Defendant Lincare</i> (McKenna, Donald) (Entered: 12/14/2004)
12/17/2004	225	Consent MOTION for Extension of Time to Complete Discovery <i>For Mediation</i> by Rotech, Inc., Kirk S. Corsello, Lincare, Inc., Lincare Holdings, Inc.. (Fox, Benjamin) (Entered: 12/17/2004)
12/22/2004		Notification of Docket Correction re 222 Memorandum in support of 221 Consent MOTION to Add Party <i>Rotech Medical Corporation</i> Consent MOTION to Amend <i>complaint</i> Consent MOTION to Amend <i>complaint</i> . Docket text corrected as pleading incorrectly e-filed as a motion. (fmm) (Entered: 12/22/2004)
12/23/2004	226	ORDER granting 221 Motion to Add Party, granting 221 Motion to

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		Amend complaint. The 5th amended complaint shall be deemed filed. Signed by Judge Orinda D. Evans on 12/22/04. (fmm) (Entered: 12/23/2004)
12/23/2004	<u>227</u>	FIFTH AMENDED COMPLAINT adding defendant Rotech Medical Corporation filed by Kirk S. Corsello.(fmm) (Entered: 12/23/2004)
12/23/2004	<u>228</u>	ORDER granting <u>225</u> Motion for Tolling Discovery for Mediation. Discovery is tolled until 1/17/05 and will resume on that date for the remaining 30 days of discovery, through 2/15/2005. Signed by Judge Orinda D. Evans on 12/22/04. (fmm) (Entered: 12/23/2004)
12/29/2004	<u>229</u>	ORDER STAYING CASE until January 17, 2005 Signed by Judge Orinda D. Evans on 12/22/04. (vh) (Entered: 12/29/2004)
01/19/2005	<u>230</u>	NOTICE of Service of Discovery by Lincare, Inc., Lincare Holdings, Inc. (aar) (Entered: 01/20/2005)
01/19/2005	<u>231</u>	CERTIFICATE OF SERVICE of discovery by Ron Pluchel, Rotech, Inc., Rotech Medical Corporation (aar) (Entered: 01/20/2005)
01/28/2005 Sealed Vol. 12	<u>234</u>	RESPONSE in Support of <u>232</u> MOTION for Protective Order <i>Regarding a Single Inadvertently Produced Attorney-Client Privileged Document</i> with affidavits of Mark Schuetzler and Benjamin Fox filed by Lincare, Inc., Lincare Holdings, Inc. (***FILED UNDER SEAL***) (fmm) (Entered: 02/04/2005)
02/04/2005	<u>232</u>	MOTION for Protective Order <i>Regarding a Single Inadvertently Produced Attorney-Client Privileged Document</i> by Lincare, Inc., Lincare Holdings, Inc.. (Fox, Benjamin) (Entered: 02/04/2005)
02/04/2005	<u>233</u>	NOTICE by Lincare, Inc., Lincare Holdings, Inc. of <i>Certificate of Good Faith Conference</i> (Fox, Benjamin) (Entered: 02/04/2005)
02/15/2005	<u>235</u>	NOTICE by Lincare, Inc., Lincare Holdings, Inc. OF <i>SERVICE OF DISCOVERY</i> (Fox, Benjamin) (Entered: 02/15/2005)
02/24/2005	<u>236</u>	MOTION for Reconsideration of <i>Dismissal of Complaint for Failure to Present Indicia of Reliability on Issue of Submission of Claims to the Government</i> with Brief In Support by Kirk S. Corsello. (Attachments: # <u>1</u> Exhibit B# <u>2</u> Exhibit C# <u>3</u> Exhibit D# <u>4</u> Exhibit E# <u>5</u> Exhibit F# <u>6</u> Exhibit G# <u>7</u> Exhibit H# <u>8</u> Exhibit I# <u>9</u> Exhibit J# <u>10</u> Exhibit K# <u>11</u> Exhibit L# <u>12</u> Exhibit M# <u>13</u> Exhibit N# <u>14</u> Exhibit O# <u>15</u> Exhibit P# <u>16</u> Exhibit Q# <u>17</u> Exhibit R# <u>18</u> Exhibit S# <u>19</u> Exhibit T# <u>20</u> Exhibit A) (Bothwell, Mike) (Entered: 02/24/2005)
03/02/2005	<u>232</u>	Submission of <u>232</u> MOTION for Protective Order <i>Regarding a Single Inadvertently Produced Attorney-Client Privileged Document</i> , submitted to District Judge Orinda D. Evans. (fmm) (Entered: 03/02/2005)
03/04/2005	<u>237</u>	STIPULATION of Dismissal <i>With Prejudice</i> by Rotech, Inc., Kirk S. Corsello, Lincare, Inc., Lincare Holdings, Inc., Rotech Medical Corporation. (Fox, Benjamin) (Entered: 03/04/2005)

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03/08/2005	<u>238</u>	Clerk's Entry of Dismissal approving <u>237</u> Stipulation of Dismissal with prejudice as to all claims under 31 USC 3730(h) between plaintiff and defendants Lincare Inc, Lincare Holdings, Rotech Medical and Rotech, Inc. pursuant to FRCP 41(a)(1)(ii). (fmm) Modified on 3/8/2005 to correct docket text (fmm). (Entered: 03/08/2005)
03/14/2005	<u>239</u>	First MOTION for Extension of Time Consent Motion Extending Time to Respond to Motion For Reconsideration/Proposed Order by Rotech, Inc., Rotech Medical Corporation. (Dalbey, John) (Entered: 03/14/2005)
03/16/2005	<u>240</u>	CONSENT ORDER GRANTING <u>239</u> Motion for Extension of Time for Defendants to file their Responses to Relator's Motion for Reconsideration until 3/28/2005. Signed by Judge Orinda D. Evans on 3/16/2005. (sjk) (Entered: 03/17/2005)
03/28/2005		Submission of <u>236</u> MOTION for Reconsideration of <i>Dismissal of Complaint for Failure to Present Indicia of Reliability on Issue of Submission of Claims to the Government</i> , submitted to District Judge Orinda D. Evans. (File in Chambers) (fmm) (Entered: 03/28/2005)
03/28/2005	<u>241</u>	RESPONSE to Motion re <u>236</u> MOTION for Reconsideration of <i>Dismissal of Complaint for Failure to Present Indicia of Reliability on Issue of Submission of Claims to the Government Response of Rotech Defendants to Plaintiff's Second Motion for Reconsideration</i> filed by Rotech, Inc., Rotech Medical Corporation. (Dalbey, John) (Entered: 03/28/2005)
03/28/2005	<u>242</u>	RESPONSE to Motion re <u>236</u> MOTION for Reconsideration of <i>Dismissal of Complaint for Failure to Present Indicia of Reliability on Issue of Submission of Claims to the Government LINCARE INC. AND LINCARE HOLDINGS INC.'S RESPONSE TO PLAINTIFF'S SECOND MOTION FOR RECONSIDERATION</i> filed by Lincare, Inc., Lincare Holdings, Inc.. (Fox, Benjamin) (Entered: 03/28/2005)
04/01/2005	<u>243</u>	NOTICE OF APPEAL by Kirk S. Corsello. Transcript Order Form due on 4/15/2005 (McKenna, Donald) (Entered: 04/01/2005)
04/05/2005	<u>244</u>	Forwarded appeal fee and transmittal letters to USCA re: <u>243</u> Notice of Appeal filed by Kirk S. Corsello. Case Appealed to USCA - 11th Circuit Case Number 00-00000-00. (kac) (Entered: 04/05/2005)
04/05/2005		Transmission of Notice of Appeal, Responses to Second Motion for Reconsideration, Clerk's Entry of Dismissal, Stipulation of Dismissal, Motion for Reconsideration, Orders and Docket Sheet to US Court of Appeals re: <u>243</u> Notice of Appeal. (kac) (Entered: 04/05/2005)
04/08/2005	<u>245</u>	USCA Acknowledgment of <u>243</u> Notice of Appeal filed by Kirk S. Corsello. Case Appealed to USCA - 11th Circuit Case Number 05-11868-A (kac) (Entered: 04/11/2005)
04/11/2005	<u>246</u>	USCA Appeal Fees received \$255.00; Receipt Number 535765 re: <u>243</u> Notice of Appeal filed by Kirk S. Corsello. Case Appealed to USCA - 11th Circuit Case Number 05-11868-A. (kac) (Entered: 04/12/2005)

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04/11/2005	247	TRANSCRIPT ORDER FORM by Kirk S. Corsello re: <u>243</u> Notice of Appeal. Case Appealed to USCA - 11th Circuit Case Number 05-11868-A. Certificate of Readiness due on 4/25/2005 (No transcript is required for appeal purposes.)(kac) (Entered: 04/13/2005)
04/12/2005		Forwarded certified docket sheets reflecting payment of appeal filing and docketing fees to USCA re: <u>243</u> Notice of Appeal filed by Kirk S. Corsello. Case Appealed to USCA - 11th Circuit Case Number 05-11868-A. (kac) (Entered: 04/12/2005)
04/20/2005	248	USCA Acknowledgment of certified docket sheets reflecting payment of appeal filing and docketing fees re: <u>243</u> Notice of Appeal filed by Kirk S. Corsello. Case Appealed to USCA - 11th Circuit Case Number 05-11868-A. (kac) (Entered: 04/22/2005)
06/21/2005	249	ORDER denying <u>236</u> Motion for Reconsideration and dismissing as moot <u>232</u> Motion for Protective Order. As there are no pending claims against defendants Alan Varraux and American HomePatient and as a stipulated dismissal has been filed as to the Lincare defendants and Rotech defendants, clerk is directed to enter judgment for all defendants. Signed by Judge Orinda D. Evans on 6/21/05. (fmm) (Entered: 06/22/2005)
06/21/2005 END VOL 11	250	CLERK'S JUDGMENT entered in favor of all defendants. (fmm) -- Please refer to http://www.ca11.uscourts.gov to obtain an appeals jurisdiction checklist-- (Entered: 06/22/2005)
06/21/2005		Civil Case Terminated. (fmm) (Entered: 06/22/2005)
06/29/2005		CERTIFICATE OF READINESS of Appeal Record re: <u>243</u> Notice of Appeal filed by Kirk S. Corsello. USCA Case Number 05-11868-AA (12 Vols. of Pldgs-1 FILED UNDER SEAL) (kac) (Entered: 06/29/2005)